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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,726	07/17/2003	Blake Johnson	P-9275-US	1579
7590 Eitan Law Group C/O LandonIP, Inc. Suite 450 1700 Diagonal Road Alexandria, VA 22314			EXAMINER JARRETT, SCOTT L	
			ART UNIT 3623	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/621,726

Applicant(s)

JOHNSON ET AL.

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 17-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final** Office Action is in response to Applicant's Amendment filed January 2, 2007. Applicant's amendment amended claims 1-16. Currently claims 1-20 are pending with claims 17-20 being previously withdrawn.

Response to Amendment

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Response to Arguments

3. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Title

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: System and Method for Optimizing a Set of Sourcing Policies Over Potential Outcomes Due to Sources of Uncertainty.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billington, Corey et al., Creating and Leveraging Options in the High Technology Supply Chain (April 2002).

Regarding Claim 1 Billington et al. teach a method for optimizing sourcing opportunity utilization policies (strategies, plans, rules, guidelines, contracts, agreements, purchases, written document, standards, procedures, etc.; real options procurement methodology, HP's real option business model; Paragraph 1, Page 3; Paragraphs 1-2, Page 13; Paragraphs 1-2, Page 14; Last Paragraph, Page 18; Pages 16-18; Figures 1-2) comprising:

- providing (defining, developing, generating, etc.) sourcing opportunity utilization policies (feasible policies, rules, plans, strategies, guidelines, approaches, procurement options/alternatives, excise options; etc.; Paragraphs 2-3, Page 6; Paragraphs 1-2, Page 8; Paragraph 1, Page 9; Paragraphs 2-3, Page 13; Paragraph 2, Page 14); Paragraphs 1-2, Page 15; Page 16; Bullet 1, Page 22; Figure 2 Strategy & Governance);

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- computing sourcing performance over time and across potential outcomes of one or more sources of uncertainty (demand, price, inventory, sales, etc.) utilizing the set of sourcing opportunity utilization policies (scenario forecasts; Pages 16, 18; Bullet 1, Page 23; Figure 2 Portfolio Evaluation); and
- comparing the computed sourcing performance to at least one objective for business performance over time and across potential outcomes of one or more sources of uncertainty to determine an optimal sourcing opportunity utilization policy (rule, plan, strategy, approach, scenario, etc.; Paragraph 1, Page 14; Pages 16, 18; Last Paragraph, Page 17; Bullet 1, Page 23; Figure 2 Portfolio Evaluation).

While Billington et al. teach the utilization of systems (engines, components, programs, code, applications, etc.) as part of the method for optimizing sourcing options Billington et al. is silent with respect to specific architecture and/or subsystems (engines) used.

Official notice is taken that it is old and well known to automate many facets of business decision planning and management including risk management, supply chain, scenario planning or real options analysis wherein automation provides well known benefits including speed, accuracy or easy of use.

It would have been obvious to a one skilled in the art at the time of the invention would have benefited from automating the real options procurement methodology as

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taught by Billington et al. in view of the teachings of official notice; the resultant system/method enabling users to more quickly or accurately evaluate the set (portfolio) of sourcing opportunity utilization policies (options) portfolio which is purely known and expected result from automation of what is known in the art.

Further it is noted that it was known at the time of the invention that merely providing an automatic means to replace a manual activity which accomplishes the same result is not sufficient to distinguish over the prior art, *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). For example, simply automating the step of comparing sourcing opportunity utilization policies gives just what one would expect from the manual step as shown in Billington et al.; comparing the sourcing opportunity utilization policies in order to identify and select an optimal portfolio/set of sourcing policies and doing so in a more expedient manner. In other words, there is no enhancement found in the claimed step other than the known advantage of increased speed. The end result is the same as compared to the manual method.

Further while Billington et al. does not expressly teach the specific labels used to identify the "engines" (subsystems, components, code, objects, etc.) contained in the recited system; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels used to identify the "engines". Further, the

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structural elements remain the same regardless of the specific labels used to identify the “engines”. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claim 2 Billington et al. teach a method for optimizing sourcing policies further comprising developing the sourcing utilization policies (Paragraph 1, Page 14; Page 16; Paragraphs 1,3, Page 17; Paragraphs 2-3, Page 18).

Regarding Claim 3 Billington et al. teach a method for optimizing sourcing policies further comprising allowing revisions (updates, modifications, etc.) to a set of feasible sourcing opportunity policies (Last Paragraph, Page 19; Paragraphs 1-2, Page 20; Bullet 3, Page 23; Figure 2 Contract Monitoring).

Regarding Claim 4 Billington et al. teach a method for optimizing sourcing policies further comprising revisions/updates to at least one objective to refine the optimal sourcing opportunity utilization policy (Paragraph 1, Page 18; Last Paragraph, Page 19; Paragraphs 1-2, page 20; Bullet 3, Page 23; Figure 2 Contract Monitoring).

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Regarding Claims 5 and 15-16 Billington et al. teach a method for optimizing sourcing opportunity (contract, agreement, purchases, etc.) utilization policies (strategies, plans, rules, guidelines, etc.) comprising:

- receiving at least one objective for business performance over time and across potential outcomes of one or more sources of uncertainty (lowest cost, lowest risk, profitability, reliability, quality, availability, etc.; Paragraphs 2-3, Page 6; Paragraphs 1-2, Page 8; Paragraph 1, Page 9; Paragraphs 2-3, Page 13; Paragraph 2, Page 14); Paragraphs 1-2, Page 15; Page 16; Bullet 1, Page 22; Figure 2 Strategy & Governance);
- defining (providing, developing, generating, etc.) a set (group, list, etc.) of sourcing opportunity utilization policies (feasible policies, rules, plans, strategies, guidelines, approaches, etc.; Pages 16, 18; Bullet 1, Page 23; Figure 2 Portfolio Evaluation);
- performing sourcing performance analysis over time and across potential outcomes of one or more sources of uncertainty (demand, price, inventory, sales, reliability, quality, cost, etc.) utilizing the set of sourcing opportunity utilization policies; and
- evaluating the results of the sourcing performance analysis optimal sourcing opportunity utilization policy (rule, plan, strategy, approach, scenario, etc.; Paragraph 1, Page 14; Pages 16, 18; Last Paragraph, Page 17; Bullet 1, Page 23; Figure 2 Portfolio Evaluation).

Regarding Claim 6 Billington et al. teach a method for optimizing sourcing policies further comprising (Paragraph 1, Page 18; Last Paragraph, Page 19; Paragraphs 1-2, page 20; Bullet 3, Page 23; Figure 2 Contract Monitoring):

- revising the set of feasible sourcing policies; and
- performing sourcing performance analysis with the revised sourcing policies.

Regarding Claim 7 Billington et al. teach a method for optimizing sourcing policies further comprising (Paragraph 1, Page 18; Last Paragraph, Page 19; Paragraphs 1-2, page 20; Bullet 3, Page 23; Figure 2 Contract Monitoring):

- revising at least one objective for business performance over time and across future circumstances; and
- performing sourcing performance analysis with the revised objective.

Regarding Claim 8 Billington et al. does not expressly teach that the evaluating occurs in an optimization engine (subsystem, code, object, routine, class, computer, device, etc.) as claimed.

Official notice is taken that it is old and well known to automate many facets of business decision planning and management including utilizing optimization “engines” (subsystems, code, applications, programs, sub-routines, computers, etc.) to perform well known optimization algorithms wherein automation provides well known benefits including speed, accuracy or easy of use.

It would have been obvious to a one skilled in the art at the time of the invention that the method for optimizing a set of sourcing opportunity utilization policies as taught by Billington et al. would have benefited from automating the step of evaluating the sourcing opportunity policy performances in view of the teachings of official notice; the resultant system/method enabling users to more quickly or accurately evaluate the set (portfolio) of sourcing opportunity utilization policies (options) portfolio which is purely known and expected result from automation of what is known in the art.

Further it is noted that it was known at the time of the invention that merely providing an automatic means to replace a manual activity which accomplishes the same result is not sufficient to distinguish over the prior art, *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). For example, simply automating the step of evaluating the performance sourcing opportunity utilization policies gives just what one would expect from the manual step as shown in Billington et al.; evaluating the performance of the sourcing opportunity utilization policies in order to identify and select an optimal portfolio/set of sourcing policies and doing so in a more expedient manner. In other words, there is no enhancement found in the claimed step other than the known advantage of increased speed. The end result is the same as compared to the manual method.

Further while Billington et al. does not expressly teach the specific labels used to identify the "optimization engine" (subsystem, component, code, object, etc.) contained in the recited system; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels used to identify the portion of the system/method that performs the evaluation step. Further, the structural elements remain the same regardless of the specific labels used to identify the portion of the system/method that performs the evaluation step. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claim 9 Billington et al. teach a method for optimizing sourcing policies/opportunities further comprising utilizing a predefined sourcing opportunity utilization policy (postponement, dual-response, branded specials, spot markets, etc.; Paragraphs 2-4, Page 11; Paragraph 1, Page 9; Pages 6,8, 13-14; Figure 1).

Regarding Claims 10 and 14 Billington et al. teach a method for optimizing sourcing policies/opportunities wherein users of the method are provided with several potential options/sourcing opportunities from which to select from as part of the optimization of sourcing opportunity utilization policies, as discussed above.

Billington et al. does not expressly teach providing a list key terms for sourcing opportunities from which a user may select as claimed.

Official notice is taken that providing menus (list of key terms) to users as part of a system that enable the user to select one or more actions and/or set one or more system parameters is old and very well known wherein menus provide a convenient mechanism (user interface) for interfacing between the system and the person utilizing the system.

It would have been obvious to one skilled in the art at the time of the invention that the method for optimizing sourcing policies as taught by Billington et al. with its provision of a list of potential sourcing opportunity utilization profiles (real options) would have benefited from being automated, as discussed above, wherein automated systems typically provide a user interface (e.g. graphical user interface) for interacting users such user interfaces providing menus for selecting and/or defining system parameters or invoking system actions in view of the teachings of official notice.

Regarding Claim 11 Billington et al. teach a method for optimizing sourcing policies/opportunities further comprising identifying a range of prospective sourcing opportunities (options, alternatives, etc.; Paragraph 3, Page 7; Paragraph 1, Page 9; Paragraph 2, Page 11; Last Paragraph, page 16, Pages 13-14; Figure 1).

Regarding Claim 12 Billington et al. teach a method for optimizing sourcing policies/opportunities further comprising analytically representing the feasible sourcing opportunity utilization policies (Paragraph 1-2, page 18; Page 16; Figure 2).

Regarding Claim 13 Billington et al. teach a method for optimizing policies/opportunities further comprising utilizing a predefined objective for business performance over time and across potential future circumstances (Paragraphs 2-3, Page 6; Paragraphs 1-2, Page 8; Paragraph 1, Page 9; Paragraphs 2-3, Page 13; Paragraph 2, Page 14); Paragraphs 1-2, Page 15; Page 16; Bullet 1, Page 22; Figure 2 Strategy & Governance).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Eder, U.S. Patent No. 5,615,109, teach a system and method for optimizing a set of feasible requisition sets (sourcing opportunities) over time wherein the sets include potential outcomes of one or more sources of uncertainty (risk, volatility, etc.).
- Masch, U.S. Patent No. 5,930,762, teaches a risk management system and method for supply chains comprising developing and evaluating a set of feasible

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strategies based on uncertainties. Masch further teaches the well-known utilization of scenario planning as a "foundation of risk management."

- Baseman et al., U.S. Patent No. 6,671,673, teach a system and method for integrating well-known financial management/engineering (e.g. option valuation, real options analysis) and supply chain management techniques, methods and systems in order to optimize a set of policies (options, strategies), including sourcing/procurement policies, over time and across several potential outcomes and one or more sources of uncertainty (risk) to meet one or more specified business and strategic objectives (lowest cost, profitability, flexibility, etc.). Baseman et al. further teach that "option value models focus primarily on production switching or sourcing decisions contingent on future states of nature."

- Kruk et al., U.S. Patent No. 7,615,036, teach a system and method for optimizing procurement policies (decisions) over a period of time.

- Livesay et al., U.S. Patent Publication No. 2002/0046147, teach a system and method for developing and evaluating sets of feasible sourcing policies/options using scenario planning.

- Adler, U.S. Patent Publication No. 2002/0169658, teach a system and method for developing and evaluating sets of business strategies (policies) comprising risk management and scenario planning.

- Feldman et al., U.S. Patent Publication No. 2002/0188496, teach a system and method for developing and optimizing sourcing strategies (policies, opportunities, plans, etc.) in order to manage/mitigate supply chain risks and uncertainties across potential

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outcomes (scenarios). Feldman et al. further teach that the risk management system and method includes portfolio selection and optimization.

- Katz et al., U.S. Patent Publication No. 2002/0174000, teach system and method for managing strategic sourcing in a supply/value chain wherein the system/method includes risk analysis “services.”

- Michaluk, U.S. Patent Publication No. 2003/0130884, teach a strategic planning and management system and method wherein business strategies/action plans are monitored and updated using real options analysis and scenario planning.

- Chorn et al., U.S. Patent Publication No. 2004/0006524, teach a system and method for evaluation business strategies using real options analysis.

- Eder, U.S. Patent Publication No. 2005/0071266, teach a system and method for optimizing one or more aspects of organizational risk and value wherein the system/method integrates well known financial and supply chain techniques to optimize opportunities/enterprise policies including real options analysis over one or more potential outcomes of one or more sources of uncertainty (conditions).

- Smeltzer et al., Proactive Supply Management: The Management of Risk (1998), teaches a method for optimizing sourcing opportunity policies (strategies) which specify sourcing policies over time and across potential outcomes of one or more sources of risk/uncertainty (i.e. sourcing/procurement risk management).

- Coy, Exploiting Uncertainty – The Real Options Revolution in Decision Making (1999), teaches the well-known utilization of real options analysis to optimizing business strategies (policies), which specify policies over time and across the potential outcomes

of one or more sources of risk/uncertainty (i.e. scenario planning). Coy further teaches that real option analysis started in the 70s and that “real-option analysis persuades companies to create lots of possibilities for themselves...As events unfold, many options won’t be worth pursuing. But a few could be blockbusters. With an options approach “uncertainty has the potential to be your friend.”

Coy further teaches Hewlett-Packards utilization of real option analysis to optimizing sourcing strategies/policies to meet business objectives.

- Campbell, Identifying Real Options (1999), teaches the utilization of real options analysis to develop and evaluate business decisions (options, alternatives).
- Billington, Supply Chain Strategy: Real Options for Doing Business At Internet Speed (2000), teach a method for optimizing business strategies (policies), including but not limited to sourcing policies (postponement, spot markets, dual response, multiple sourcing, structured contracts), wherein the method develops and evaluates a portfolio (set) of options (policies, plans, strategies, etc.) each of which specify options over time and across the potential outcomes of one or more sources of risk/uncertainty.

Billington teaches that “A strategy that features optionality in the selected alternatives offers many opportunities to manage risk. The whole purpose of portfolio management is to reduce risk where possible and manage the remaining risk.”

- Bernstein, HP Pilots New E-Procurement Initiatives (2001), teaches a system and method for optimizing sourcing opportunity utilization policies, which specify sourcing policies over time and across potential outcomes of one or more sources of

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uncertainty (HP's procurement risk management, GetSupply exchange, procurement portfolio).

- Buxbaum, Tapping into real options (2002), teaches the utilization of real option analysis (reasoning) wherein "Real Options permit a business owner to exploit the upside potential of an opportunity while mitigating the risk associated with deploying business asset" and further wherein "The real options response to uncertainty, then, is flexibility."

Buxbaum further teaches Hewlett-Packard and its GetSupply exchange utilization of real options analysis for optimizing sourcing strategies/policies.

- Applequist, Economic risk management for chemical manufacturing supply chain planning teach a method for optimizing resource requirements (materials, capacity) to mitigate risk and achieve business objectives such as profit maximization.

- Billington et al., A Real Options Perspective on Supply Chain Management in High Technology (2002), teach a method and system (HPRisk) for optimizing sourcing strategies (opportunities, options, policies) which specify sourcing policies over time and across the potential outcomes of one or more sources of uncertainty (risks, scenarios) comprising: receiving at least one business performance objective, generating a portfolio (set, collection) of sourcing/procurement policies, evaluating the performance of the portfolio of sourcing policies (portfolio management) and determining the optimal sourcing policy (strategy, contract, etc.).

Billington et al. teach that "the different procurement portfolios can be formally evaluated. Simulation, optimization, and methods determining optimal option exercise

can be used to analyze the performance of the various portfolios under a wide range of scenarios...Outputs of the analysis include optimal operating policies and associated key performance metrics such as the distribution of total sourcing cost... Each procurement portfolio produces a different trade-off between the costs and risks of material purchases, inventory and shortages; and different supply agreements and an portfolios of supply agreements can be compared based on the company's trade-off between risk exposure and value creation across these performance dimensions."

More specifically Billington et al. teach utilizing well known real option analysis, financial engineering, risk management and supply chain management techniques to achieve business performance objectives while managing risks.

- Nagali et al., Procurement Risk Management at Hewlett-Packard Company, teaches HP's system and method for optimizing sourcing policies using well known real-option analysis, financial engineering and supply chain techniques/practices. Nagali et al. teach that HP's PRM program was launched in August 2000.

More specifically Nagali et al. teach that PRM includes scenario analysis to measure/forecast sourcing uncertainties/risk the over time and across one or more sources of uncertainty including demand, price and supply availability ("forecast scenarios") and procurement portfolio management to meet business performance objectives.

Nagali et al. teach that the HPRisk system and method comprises several subsystems (components, engines) HPHorizon demand scenario, component forecast scenario and contract valuation analysis wherein the contract valuation analysis engine

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calculate "forward-looking expected material, inventory, and shortage costs for a given portfolio of contracts considering the full range of possible outcomes for price, demand, and availability uncertainties."

- Amram et al., Real Options (1999), teach the utilization of real options analysis to develop and evaluate a set of options (policies, strategies).

- Mun, Real Options Analysis (2002), teaches the utilization of real options analysis to guide a firm's strategic planning and capital investment strategies utilizing Crystal Ball software application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Scott L. Jarrett
Asst. Examiner
3/8/2007



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SUPERVISORY PATENT EXAMINER
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